

**BEFORE THE
U.S. DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, DC**

Application of)	
)	
WIZZ AIR HUNGARY LTD.,)	Docket No.:
)	DOT-OST-2022-0008
For a Foreign Air Carrier Permit)	
)	

ANSWER OF SOUTHWEST AIRLINES PILOTS ASSOCIATION

The Southwest Airlines Pilots Association (“SWAPA”) respectfully submits this Answer in opposition to the Application of WIZZ AIR HUNGARY LTD. (“Wizz Air”) for a Foreign Air Carrier Permit.

SWAPA is a non-profit labor organization and employee association representing the pilots of Southwest Airlines. SWAPA represents the over 9,000 pilots and serves as their sole bargaining unit.

As set forth more fully below, Wizz Air’s application is woefully short on basic details regarding its proposed operations in the United States. Additionally, Wizz Air’s history of anti-union conduct demonstrates that the proposed operations would undermine the public interest with respect to encouraging fair wages and working conditions.

Accordingly, SWAPA respectfully submits that the Application should be denied.

I

**Wizz Air has not provided basic information about its flight operations
as required by DOT regulations.**

The Department’s regulations governing applications for a Foreign Air Carrier Permit

require applications to disclose “a description of the services proposed.”¹ This includes, *inter alia*: (1) the point or points in the United States to be served; (2) the frequency of service planned at the start of the operations, including whether the service is to be scheduled, nonscheduled or charter, whether the service is to be passenger, or property and mail, and the type of equipment to be used; and (3) a schedule of the service, stating the manner in which the service will be operated, *e.g.* nonstop or multi-stop, and the identity of proposed intermediate points.²

Wizz Air’s application leaves out many of these straightforward, fundamental basic data points. There is no description of the point(s) in the United States to be served, the frequency of the service planned at the start of the operations, or a schedule of service stating the manner in which the service will be operated. The application states only that it seeks “Economic Authority” and includes the language, “Commercial charter, all-cargo services.”

Without this essential information, neither the Department nor other stakeholders can meaningfully evaluate Wizz Air’s economic fitness as an air carrier or the suitability of its expected operations.

Finally, Wizz Air has not complied with the service requirements set forth under 14 C.F.R. § 302, *i.e.*, service upon U.S. Air Carriers, the Department of State, and the airport authority of each U.S. Airport it proposes to serve.³

II

Wizz Air’s labor practices are antithetical to those of U.S. Air Carriers.

The opportunities created by the U.S.-EU Transport Agreement “are not intended to undermine labour standards.”⁴ Yet Wizz Air’s practices do just that.

¹ 14 C.F.R. § 211.20(c)(2).

² 14 C.F.R. § 211.20(c)(2)(i)-(iii).

³ 14 C.F.R. § 302.203.

⁴ See <https://2009-2017.state.gov/documents/organization/143930.pdf> (last visited February 6, 2022).

Wizz Air has expressly opposed unionization efforts. For instance, Wizz Air fired workers in Romania after they started a union, has bragged about “keeping out unions everywhere,” and refused to engage with labor unions in Italy.⁵ These efforts to discourage workers’ attempts to organize have led its investors have threatened to divest.⁶

As a fervent supporter of the right to bargain for fair wages and working conditions, SWAPA opposes Wizz Air’s anti-union efforts, and submits that Wizz Air’s anti-worker conduct and rhetoric is disqualifying. In the event the Department elects to issue a Foreign Air Carrier Permit to Wizz Air, SWAPA respectfully encourages the Department to require that Wizz Air adopt, as a prerequisite to receipt of the Permit, labor conditions which support and promote the rights of Wizz Air’s employees to unionize without fear of repercussions.

Conclusion

For the foregoing reasons, the Southwest Airlines Pilots Association respectfully requests that the Department deny the Application.

Respectfully submitted,

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⁵ See <https://www.reuters.com/business/aerospace-defense/investors-challenge-budget-airline-wizz-air-over-labour-rights-2021-12-15> (last visited February 6, 2022).

⁶ *Id.*

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CERTIFICATE OF SERVICE

I hereby certify that I have this 7th day of February, 2022, served the foregoing document by email on the following persons:

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